

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

NANCY KOENIG,

Plaintiff,

vs.

**CBIZ BENEFITS & INSURANCE
SERVICES, INC.,**

Defendant.

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8:05CV476

ORDER

This matter is before the court on the parties' Joint Motion for Extension of Deadlines (Filing No. 20). The parties seek an extension of the deadlines to file motions for summary judgment and to report to the court about settlement negotiations. However, the parties request the other deadlines remain. The parties filed the instant motion two days before July 7, 2006 deadline for filing motions for summary judgment stating, "additional discovery is necessary to determine whether any motions for summary judgment are warranted by the facts." The parties give no other explanation for the delay. Accordingly, the court finds the moving parties failed to provide good cause for the inadequate discovery and lengthy extension of time. **See** Fed. R. Civ. P. 16(b); **Bradford v. DANA Corp.**, 249 F.3d 807, 809-10 (8th Cir. 2001); **see also Thorn v. Blue Cross & Blue Shield of Fla., Inc.**, 192 F.R.D. 308, 309 (M.D. Fla. 2000) ("In demonstrating good cause, the moving party must establish that the 'scheduling deadlines cannot be met despite a party's diligent efforts.'") (**paraphrasing** Fed. R. Civ. P. 16 advisory committee notes (1983 amendment)). However, the court will grant the parties a brief extension of the summary judgment deadline. Upon consideration,

IT IS ORDERED:

1. The parties' Joint Motion for Extension of Deadlines (Filing No. 20) is granted in part and denied in part.
2. The parties shall have an extension **until August 4, 2006**, to file motions for summary judgment. All other deadlines remain the same.

DATED this 6th day of July, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge